

Zoning Text Amendment No: 07-13
Concerning: Planned Development Zones –
Requirements
Draft No. & Date: 1 – 8/14/07
Introduced: 9/11/07
Public Hearing: 10/16/07
Adopted:
Effective:
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By:
Council President Praisner at the request of the County Executive

AN AMENDMENT to the Montgomery County Zoning Ordinance to:

- allow Planned Development zones on certain commercially zoned sites in or adjoining a central business district;
- provide a standard for commercial density in Planned Development zones;
- remove the requirement in the Planned Development zones that development in or adjoining a central business district must comply with the use recommended in a master or sector plan; and
- generally amend Planned Development zones.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-C-7	“PLANNED UNIT DEVELOPMENT ZONES”
Section 59-C-7.12	“Where Applicable”
Section 59-C-7.121	“Master plan”
Section 59-C-7.13	“Uses Permitted”
Section 59-C-7.132	“Commercial”
Section 59-C-7.14	“Density of residential development”
Section 59-C-7.19	“ Procedure for application and approval”

EXPLANATION: **Boldface** indicates a heading or a defined term.

Underlining indicates text that is added to existing laws by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

* * * indicates existing law unaffected by the text amendment.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

1 **Sec. 1. DIVISION 59-C-7 is amended as follows:**

2 **DIVISION 59-C-7. PLANNED UNIT DEVELOPMENT ZONES**

3 * * *

4 **59-C-7.12. Where Applicable.**

5 **59-C-7.121. Master plan.** No land can be classified in the planned
6 development zone unless such land is within an area for which there is an
7 existing, duly adopted master plan which [shows] recommends such land
8 for;

9 (a) a density of 2 dwelling units per acre or higher; or

10 (b) a commercial zoning classification that permits a residential density of
11 2 dwelling units per acre or higher and such land is located within or
12 adjoins a central business district.

13 * * *

14 **59-C-7.13. Uses permitted.**

15 * * *

16 **59-C-7.132. Commercial.**

17 * * *

18 (b) Commercial and industrial uses may be permitted in addition to the
19 local commercial facilities permitted under paragraph (a) above, if
20 any, subject to the following conditions:

21 (1) That such uses are proposed by the appropriate master plan to
22 be located within the area covered by the planned development
23 zone.

24 (2) That such uses are so designed and located as to achieve the
25 purposes of the planned development zone and to be compatible
26 with other uses within or adjacent to the development.

(3) That in a development that satisfies Section 59-C-7.121(b), commercial and industrial uses must not exceed 40 percent of the gross floor area of the development.

59-C-7.14. Density of [residential] development.

* * *

(f) For a development that satisfies Section 59-C-7.121(b), the maximum density must not exceed the density of the highest density zone recommended in the relevant master plan or sector plan.

* * *

59-C-7.19. Procedure for application and approval.

(a) Application and development plan approval must be in accordance with the provisions of division 59-D-1. But a finding of substantial compliance with the use recommended by the relevant master plan or sector plan is not required if the development satisfies Section 59-C-7.121(b).

(b) Site plans must be submitted and approved in accordance with the provisions of division 59-D-3.

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Sec. 2. Effective date. This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council